

**CITY OF SANDY OAKS, TEXAS**

**ORDINANCE NO: 2019-122**

**AN ORDINANCE AMENDING THE MASTER FINE SCHEDULE ESTABLISHED BY CITY ORDINANCES; AUTHORIZING THE CITY CLERK TO CREATE, MAINTAIN AND UPDATE THE MASTER FINE SCHEDULE AS NECESSARY; REPEALING ANY CONFLICTING ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Local Government Code section 51.001 authorizes the governing body of a municipality to adopt, publish, amend or repeal an ordinance, rule, or police regulation that is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality; and

**WHEREAS**, pursuant to Local Government Code section 51.012 a Type A General Law municipality may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality as a body politic; and;

**WHEREAS**, pursuant to Local Government Code section 54.001, the governing body of a municipality may enforce each rule, ordinance, or police regulation of the municipality and may punish a violation of a rule, ordinance, or police regulation by a fine or penalty for the violation of a rule, ordinance, or police regulation that does not exceed \$500 except that a fine or penalty for the violation of a rule, ordinance, or police regulation that governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, may not exceed \$2,000, and a fine or penalty for the violation of a rule, ordinance, or police regulation that governs the dumping of refuse may not exceed \$4,000; and

**WHEREAS**, the City Council of the City has adopted ordinances pursuant to State law imposing fines or penalties for violation of such ordinance; and

**WHEREAS**, the City Council desires to amend the Master Fine Schedule previously adopted by City Council to provide a centralized means of providing the public information of all fines assessed by the City and repeal Ordinance No. 2015-15; and

**WHEREAS**, the City of Sandy Oaks has determined that the public welfare would be best served by establishing a Master Fine Schedule outlining the fines established and assessed by various City ordinances;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS:**

**SECTION 1: FINES.** The fines established and assessed by City ordinances adopted by the City Council shall be included as a comprehensive list to be created and attached hereto as Exhibit "A" and known as the Master Fine Schedule.

**SECTION 2. CITY CLERK AUTHORIZED TO MAINTAIN AND UPDATE.** The City Clerk or his or her designee is hereby authorized to create and maintain the Master Fine Schedule and update the Master Fine Schedule as such fines are established and adopted by the City Council.

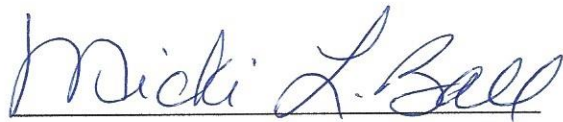
**SECTION 3. REPEAL OF CONFLICTING ORDINANCES.** City ordinances or parts of ordinances inconsistent or in conflict herewith, specifically Ordinance No. 2015-15, are, to the extent of such inconsistency or conflict, hereby repealed.

**SECTION 4. SEVERABILITY.** If any section, subsection, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distance than independent provision and such holdings shall not affect the validity of the remaining portions thereof.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage.

**PASSED AND APPROVED** the 10<sup>th</sup> day of January 2019.

**CITY OF SANDY OAKS, TEXAS**

  
Micki Ball, Mayor

**ATTEST:**

  
Katherine Yelton, City Secretary